

IN THE CLAIMS

1-15. (Cancelled)

16. (Currently Amended) A method for identifying a cancerous cell, comprising:

- (a) obtaining a sample from and determining a cell ~~the~~ copy number of at least one gene comprising the nucleotide sequence of SEQ ID NO: 1,
- (b) obtaining a normal sample from the same and determining a cell copy number of said at least one gene,
- (c) comparing the cell copy number of (a) and the cell copy number of (b) comparing the cell copy number determined in (a) to that of a normal cell of a same organ as the cell in (a), whereby a higher copy number of said gene for the cell in (a) relative to said normal cell in (b) identifies the cell in (a) as cancerous, wherein said cell is a breast cell.

17. (Previously Presented) The method of claim 16 wherein said elevated higher copy number of said gene for the cell in (a) relative to said normal cell in (b) is at least a 2 fold higher copy number of the gene.

18. (Previously Presented) The method of claim 16 wherein said higher copy number of said gene for the cell in (a) relative to said normal cell in (b) is at least a 3 fold higher copy number of the gene.

19-27. (Cancelled)

28. (Currently Amended) A method for detecting cancer comprising:

(a) obtaining a sample from an organ and detecting in a sample from a patient expression of a gene comprising the nucleotide sequence of SEQ ID NO: 1 wherein said expression is has increased the copy number of said gene,

(b) obtaining a normal sample from a subject without cancer,

(c) comparing the copy number determined in (a) to that of (b) said gene in a sample from a subject without cancer, whereby a higher copy number for the sample determined in (a) relative to that for said gene in the sample from the subject without cancer in (b) identifies said patient in (a) as having cancer, wherein said cancer is breast cancer.

29. (Previously Presented) The method of claim 28 wherein said higher copy number is at least a 2 fold higher copy number of the gene.

30. (Previously Presented) The method of claim 28 wherein said higher copy number is at least a 3 fold higher copy number of the gene.

31-66. (Canceled)

67. (Previously Presented) The method of claim 16, including the additional steps of:

(c) determining expression of mRNA encoded by said gene in said cell of (a),

(d) comparing said mRNA expression of (c) with that of the normal cell of (b), whereby both increased mRNA level and higher copy number of said gene for the cell in (a) relative to said normal cell in (b) identifies the cell in (a) as cancerous.

68. (Canceled)

69. (Previously Presented) The method of claim 28, including the additional steps of:

(c) detecting mRNA expression of said gene in said sample of (a), (d) comparing said mRNA expression of (c) with that of the sample from the normal subject of (b), whereby both increased mRNA level and higher copy number of said gene for the sample in (a) relative to said sample from the normal subject in (b) identifies the patient as having cancer.

70. (Canceled)